



## *Welcome to our Newsletter!*

[AEC Web Site](#)

April 16, 2012

### **Attend the AEC's Next Meeting!**

The Annapolis Environmental Commission's (AEC) meetings are open to the public. In lieu of our regularly scheduled April meeting, we encourage everyone to join us at the Board of Appeals meeting on Wednesday, April 18th at 7:00 p.m. in the City Council chambers.

### **Reserve at Quiet Waters:**

The hearing before the Board of Appeals is scheduled for April 18th at 7:00pm at City Hall. The public is welcome to attend, comment either at the hearing or by written statement. Please reference RWQ and project number PD2010-004.

Submit comments if you cannot attend to: Mr. Christian F. Elkington, Jr., Chairman, Board of Appeals, City of Annapolis, 160 Duke of Gloucester, Annapolis, MD 21401. Email copies to the lead Planner on the project: Tom Smith at: [ets@annapolis.gov](mailto:ets@annapolis.gov) and Mayor Cohen at: [mayor@annapolis.gov](mailto:mayor@annapolis.gov).

The developer has modified the plan for the 156 unit residential project, but is unwilling to avoid building in specific areas of priority forest, counter to the Forest Conservation Act (FCA). We are surprised and dismayed that although the Mayor has indicated a commitment to protecting our most valuable resources he is standing by his staff's decision to stand with the developers interests, which is to maximize their profit rather than standing by his commitment to smart growth for Annapolis. Plans submitted by the developer FCP. 103 dated April 6, 2012, indicate a downgrade to the forest as the developers justification for building in the priority forest. The forest stand delineation has changed several times and it appears clear to those of us who have toured the property and the experts that have examined the site, that the developer is reaching for whatever reason they can create to counter their long held financial justification for building in the priority forest.

To see the most recent plan dated 4/6/12: Go to <http://etrakit.annapolis.gov/Search.aspx?grp=project>. On the left, where it says "address", select "Project Number" instead, and insert this number: "PD2010-004". Double click on the box that pops up below that, and then you can scroll to view plans, reviews and more.

### **Crystal Spring:**

The developer continues to indicate that they are close to working out the environmental issues related to this site and will file its formal application with the city any day. The site, also known as Mas Que Farm (a/k/a) the Katherine property, contains nontidal wetlands and valuable forest. There are still many outstanding issues that need to be resolved. DNEP and P & Z are keenly aware of the issues. A major issue is how the city will apply the MD Forest Conservation Act (FCA). The FCA gives the city significant discretion to save priority forest. Under the most recent plans for the Crystal Spring site that we reviewed, there were no major changes in the amount of forest preservation even though the Mayor has told his staff that he would like them not just to apply minimum standards. Current plans call for the destruction of over 60 percent of the forest. Much of this includes wetlands. If you eliminate the nontidal wetland acreage, which is within MDE's discretion, the priority forest being destroyed is more than 60%. This is in contradiction of the city's comprehensive plan and, depictions presented when the property was annexed into the city in 2005. While other jurisdictions have made it a priority to preserve 55% and 60% of their forested land when building new projects, Annapolis is currently poised to preserve 40% (or less), a far cry from leading the way for Annapolis to becoming the "greenest" city in Maryland. The good news is that the developer has made a good faith effort to work on environmental issues with local Annapolis environmental groups so that even if the City won't hold the developer to a standard of protecting the environment while allowing for smart growth, environmental groups working with the developer will ensure that this is a model project for Annapolis. We are hopeful that future meetings will assist in sorting out where on the 110 acres, are the most appropriate places to build.

### **Hayes Property:**

The next regular session of the City Council is Monday, April 23, which is when the Council will vote to approve or disapprove both the Annexation and the Zoning of the property. Note too that the Council's Rules Committee: Chair, Alderman Richard Isreal and Aldermen, Ross Arnett and Classie Hoyle met April 11, and voted to recommend approval of both resolutions. The vote for the annexation of the property was unanimous, albeit not without considerable discussion between the attorney for the development and the aldermen and questions by the public, including representatives of the neighboring Dorsey Road community single-family homes and two citizen groups concerned about the impacts of multi-dwelling dense development and the replacement of trees and vegetable plots with impervious surface in an already over-trafficked area, with considerable storm water run-off problems.

Of particular importance is that 1) the public has until April 23 to submit additional comments, concerns and recommendations to the Council on both the Annexation and Zoning resolutions. 2) the Rules Committee's vote of 2-1 in favor of the developer's proposal to replace the originally proposed R-3 zoning with R-4, which allows for construction of up to 159 units on less than 4 acres - the remainder of the property of steep slopes having been defined and designated in the Annexation Plan as a Conservation

Easement – raises several issues of concern that the Annapolis Environmental Commission, believes need to be resolved prior to the Council's vote. April 23.

Last but not least, although there will be no public hearing at the April 23 meeting, individuals are permitted to speak during the Petitions period at the start of the session.

### **Legislative Update:**

The Maryland legislature approved several major environmental bills by the close of the 2012 session that should improve water quality throughout the state. However, for the second year in a row the General Assembly did not act on a bill to encourage off-shore wind energy, and several other environmental measures.

All in all environmentalists considered the session a remarkable success, considering lawmakers faced pressing budget issues and a steady drumbeat of negativity in the media from opponents of increased environmental spending.

One bill approved by lawmakers will double the so-called "flush tax" in order to finish upgrading the state's 67 largest sewage plants. Marylanders now will be asked to pay \$60 per household per year. When finished, the upgrades will reduce nitrogen pollution by an estimated 3.7 million pounds per year discharged into local creeks, rivers and the Chesapeake Bay.

In the final few minutes of the session, the General Assembly also approved a bill that requires the state's most populated counties and Baltimore to collect a fee dedicated strictly to upgrading local stormwater facilities. The local governments will have complete freedom to set the fee based on local needs and conditions. Polluted runoff from suburban and urban landscapes is the fastest growing source of nutrient pollution to the Chesapeake, partially because systems installed to control and treat runoff have been badly neglected for years, or are non-existent in many areas.

In other positive news, the legislature also approved legislation to curtail the construction of some major subdivisions in the most remote rural areas, and to sustain level funding for the Chesapeake and Coastal Bays Trust Fund.

The wind bill died in the Senate on the last day of the session. The bill would have encouraged developers to build about 200 Megawatts of wind power off of Maryland's Eastern Shore. It did not come up for a vote in the Senate Finance Committee despite intense last-minute lobbying which included the arrest of several students who protested peacefully.

Other important bills also languished, including one to reduce plastic bag litter in creeks and rivers. Modeled on a successful bag bill in Washington, D.C., the measure made little progress in the General Assembly, despite broad support. The D.C. program has provided

ample evidence that even less fortunate residents easily adjust to such programs, which requires stores to charge \$5 cents for a plastic or paper bag. The revenue was to be used for water clean-up projects. The legislature also did not act on several bills which asked the gas drilling industry to help pay for a state study of hydraulic fracturing. The controversial drilling technique is banned in Maryland until the state determines how it can be done safely.

The Maryland Senate took away dedicated funding for Program Open Space, Rural Legacy, and other land preservation programs. Some of this funding, but not all of it, was restored by the House-Senate conference committee.

### **More on Rain Barrels and Compost Bins**

The community Compost Bin & Rain Barrel Sale conducted by K&B True Value on Eastport's Forest Drive, last month was a great success and an exemplary partnership between a local business, the City and community volunteers. The partners were two –time certified Annapolis Environmental Steward Jared Littman's K&B and DNEP - the Annapolis Department of Neighborhood and Environmental Programs' Sustainable Annapolis Program - at no cost to the city – with the assistance of AEC volunteers, who provided demos, installation instruction and hand-outs, and the added participation of AACountyWatershed Stewards Academy volunteers and members of the Main streets Annapolis Partnership, whose object is to enhance business opportunities in all of the city's main streets. To make the rain barrel and bin purchase, a one-stop event, K&B True Value had on hand kitchen collectors, compost turners, flexible elbow spouts, and other accessories.

Overall, 670 Compost Bins & Rain Barrels and 160 composting accessories were sold. Based on the # of bins sold, Annapolis residents will divert an estimated 130,000 lbs of food residuals from becoming waste and trash for a landfill. Through installation of the rain barrels on down spouts normally draining to storm sewers but diverted to back yards and gardens, an estimated of 200,000 gallons of water will be diverted from Annapolis' local storm water basins for each inch of rain that falls (based on an average roof of 1000 sq. ft.). Note that Annapolis residents can apply to DNEP for a tax credit based on the costs of the rain barrel and related accessories. AACounty Master Watershed Stewards are available for rain barrel installation assistance, at [443-837-5589](tel:443-837-5589) or [installrainbarrels@gmail.com](mailto:installrainbarrels@gmail.com). Additional tips are available at [www.aawsa.org](http://www.aawsa.org) or [www.rainscaping.org](http://www.rainscaping.org).

### **Events Calendar**

*Board of Appeals Hearing - Wednesday, April 18, 2012*

Join the AEC at the City Council Chambers for the hearing on the Reserve at Quiet Waters.

*Earth Day Celebration & Rain Garden Installation at DNR - Friday, April 20, 2012*

Volunteers will plant two rain gardens located along the DNR parking lot in celebration of Earth Day. All are invited to get their hands dirty and join in for a fun, festive Earth Day Celebration! All events are free and open to the public. 580 Taylor Avenue, Annapolis. Click [here](#) for more information.

*Annapolis GreenScape- April 21, 2012*

What is GreenScape? GreenScape is a City and community partnership investment of beautification, clean-up, and planting in public spaces through the City. For the past 20 years, hundreds of projects have been initiated and adopted by individuals, community groups, neighborhood associations, etc. The projects are year-round commitments for care, watering, and weeding. This year's planting will take place on Saturday, April 21, 2012. Click [here](#) to get involved.

*2nd Annual Earth, Water and Faith Festival, Sunday, April 22, 2012*

“Celebrating Our Environment Through Music, Art and Inspiration,” this is a family-focused event that expresses the connection between faith and care for the environment. It is sponsored by the Chesapeake Interfaith Environmental Group, the Chesapeake Bay Foundation and the Annapolis Town Centre. Groups and organizations providing environmental information and interactive displays on programs and methods for sustainable activities are invited to participate. The Festival will celebrate our Environment through music, art and inspiration, and is the product of a partnership between the Chesapeake Interfaith Environmental Group (CIEG), the Chesapeake Bay Foundation and the Annapolis Towne Centre. Click [here](#) for more information.

Did you know that Sustainable Annapolis is on Facebook?  
Follow [this link](#).

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***Join the AEC at the Board of Appeals Hearing!***

**April 18, 7:00 p.m.**  
**City Hall, Council Chambers**

*The AEC is an independent board consisting of nine City residents who are appointed by the Mayor and confirmed by the Aldermen to be concerned with the protection and improvement of the natural health and welfare of the environment.*  
*The views portrayed by the AEC are not necessarily shared by the City of Annapolis, staff or elected officials.*

[www.annapolis.gov/environment](http://www.annapolis.gov/environment)  
Email: [environment@annapolis.gov](mailto:environment@annapolis.gov)